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[X] Continuation
[] Divisional
[] CPA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

The Commissioner for Patents
Washington, D.C. 20231

Date: October 15, 2001
Docket No. PHB 34-221A
Prior Art Unit 2681
Prior Ex. Contee, J.

Sir:

This is a request for filing a:

[] continued prosecution application ("CPA") under 37 CFR 1.53(d)

[X] continuing application under 37 CFR 1.53(b)

of pending prior application Serial No. 09/216,261, filed on 12/18/98 of Richard H. Jones, David R. Tracey, Ian Dod and Paul S. Hardwick for Melodic Alerts for Communication Device.

[X] Enclosed are copies of 12 sheets of specification and 2 drawing sheets (all of which constitutes the specification and drawing in this application) and the Declaration and Power of Attorney as filed in the parent application.

[X] Amend the specification by inserting before the first line as a centered heading: --Cross Reference To Related Applications--; and insert below that as a new paragraph --This is a [X] continuation
[] divisional of application Serial No. 09/216,261, filed 12/18/98.--

[X] An appointment of associates is enclosed.

[] As last amended, the title has been changed to

[] As last amended, the name of applicant(s) has changed to

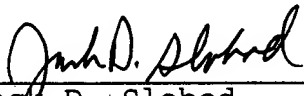
[] Before calculating the filing fee, cancel in this application original claims *****.

[X] The filing fee is calculated below:

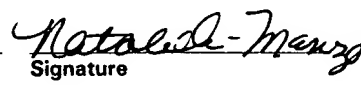
| CLAIMS AS FILED IN THIS APPLICATION | | | | | |
|-------------------------------------|-----------------|-----------------|---------|--------------|---------------|
| For | Number Filed | Number Extra | Rate | Basic fee | \$ 740.00 |
| Total Claims | 10 | -20 = | X \$18 | = | |
| Independ. Claims | 2 | - 3 = | X \$84 | = | |
| Mult. Dependent Claims, | | if any | (\$280) | | = |
| Total Filing Fee | | | | | -----\$740.00 |

PC OCT 16 2001

- [X] Please charge the filing fee calculated above, plus any additional fees which may be required except for the Issue Fee, or credit any overpayment to Deposit Account No. 14-1270.
- [X] Priority of application Serial No. 9727011.0, filed on December 23, 1997 in Great Britain, is claimed under 35 U.S.C. 119.
- [X] The certified copy of the priority application was filed in prior application Serial No. 09/216,261.
- [X] This application is assigned to U.S. PHILIPS CORPORATION by way of the assignment filed in application Serial No. 09/216,261.
- [X] Address all future communications to Corporate Patent Counsel, Philips Electronics North America Corporation, 580 White Plains Road, Tarrytown, New York 10591.
- [X] A preliminary amendment to this application is enclosed.
- [] Enter in this application the amendment under 37 C.F.R. 1.116 which was unentered in the prior application.
- [] An Information Disclosure Statement is enclosed.
- [X] An Authorization Pursuant to 37 CFR 1.136(a)(3) is enclosed.

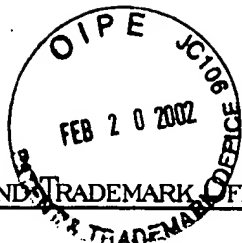


Jack D. Slobod
Registration No. 26,236
(914) 333-9606
Philips Electronics N.A. Corporation
580 White Plains Road
Tarrytown, New York 10591

| CERTIFICATE OF EXPRESS MAILING | |
|---|---|
| Express Mail Mailing Label No. EL666159200US | |
| Date of Deposit October 15, 2001 | |
| I hereby certify that this paper and/or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Commissioner for Patents, Washington, D.C. 20231. | |
| Natale A. Manzo |  |
| Typed Name | Signature |



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| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/978,114 | 10/15/2001 | Richard H. Jones | PHB 34-221A |

CONFIRMATION NO. 3750

FORMALITIES LETTER



OC00000007011966

Corporate Patent Counsel
Philips Electronics North Americas Corporation
580 White Plains Road
Tarrytown, NY 10591

Date Mailed: 11/02/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

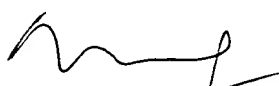
FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

*A copy of this notice **MUST** be returned with the reply.*


Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

02/26/2002 HMARZ11 00000037 141270 09978114

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
In re Application of

Atty. Docket

RICHARD H. JONES ET AL

PHB 34,221A

Serial No. 09/978,114

Filed: OCTOBER 15, 2001



Group Art Unit: 2681

COPY OF PAPERS
ORIGINALLY FILED

Title: MELODIC ALERTS FOR COMMUNICATIONS DEVICE

Commissioner for Patents, Washington, D.C. 20231

**REQUEST UNDER RULE 1.8(b) TO CONSIDER EXECUTED DECLARATION AS
TIMELY FILED**

Sir:

The Applicants request that the Patent and Trademark Office enter the executed Declaration (attached as Exhibit 1) that was previously mailed to the Patent and Trademark Office with a valid Certificate of Mailing on October 15, 2001 and consider the executed Declaration as timely filed on October 15, 2001. A NOTICE TO FILED MISSING PARTS was received from the Patent and Trademark Office on November 2, 2001 (attached as Exhibit 2) that states in effect that the Patent and Trademark Office never received the Declaration. It is submitted that the executed Declaration was timely mailed to the Patent and Trademark Office on October 15, 2001 at the time of filing a Continuation Application Under 37 CFR 1.53(b) (attached as Exhibit 3).

The Certificate of Mailing on the Continuation Application certifies that the executed Declaration was properly mailed on October 15, 2001.


We are awaiting the acknowledgment of receipt postcard bearing the Patent and Trademark Office mailroom stamp imprint indicating that the documents were received by the Patent and Trademark Office

mailroom on October 15, 2001.

It is respectfully requested that the Response to Notice to File Missing Parts that was mailed on November 2, 2001 be considered timely received and that the status of the above-identified application be changed from incomplete to complete.

Accordingly, it is requested that the Notice to File Missing Parts be withdrawn, the executed Declaration mailed on October 15, 2001 be entered, and the status of the above-identified application be changed from incomplete to complete.

In the event that there are any difficulties regarding this matter, it is requested that the undersigned be contacted at the telephone number indicated below.



Jack D. Slobod
Attorney
Reg. No. 26,236
(914) 333-9606

Enclosures: Exh. 1: Copy of executed Declaration
Exh. 2: Copy of NOTICE TO FILE MISSING PARTS dated
November 2, 2001
Exh. 3: Copy of transmittal letter for
Continuation Application dated October 15,
2001

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited this date
with the United States Postal Service as first-class mail in an envelope addressed to:

COMMISSIONER FOR PATENTS
Washington, D.C. 20231

On February 4, 2002

By Natalie J. Manzo